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Client Reference: 2980419US/HS/HER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION of:
WALLENIUS ET AL.
Application No.: 09/743,328

Confirmation Number: 9324

Group Art Unit: 2682

Filed: April 12, 2001

Examiner: Nguyen, Lee

Title: SELECTION OF SERVICE IMPLEMENTATION

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 6, 2006, please reconsider the patentability of the rejected claims based on the following arguments. Claims 1-19 are pending.

The Office Action maintained the rejection of claims 1-3, 5, 7-13, and 16-19 under 35 U.S.C. § 102(b) as being anticipated by Robinson et al. (WO 97/07642; hereafter "Robinson") and the rejection of claims 4, 6, 14, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Robinson in view of Granberg et al. (U.S. Patent No. 6,101,387; hereafter "Granberg"). Applicants respectfully traverse these rejections because the cited prior art references, analyzed individually or in combination, fail to teach or suggest all the features of the rejected claims. For example, the cited prior art fails to disclose, teach or suggest the claimed invention wherein different implementations for a supplementary service are selected based on the properties of a terminal. In response to these arguments, the Office has requested a "proper definition of a service implementation."

Applicants submit that the previously submitted copy of an excerpt from the "Communications Standard Dictionary" by Martin H. Weik, Van Nostrand Reinhold, United States, 1989, ISBN: 0-442-20556-2, clearly defines that an implementation is a physical realization, whereas a telecommunication service (such as services disclosed in Robinson) is

defined to be a specified set of information-transfer capabilities. As indicated in that excerpt, the term “different services,” as it is used in Robinson, would not have been interpreted to anticipate or correspond to the claimed term “service implementations” for a service.

As a result, the pending claims are patentable over the cited prior art because Robinson, analyzed individually or in combination with Greenberg, fails to disclose, teach or suggest any of the features of independent claims 1, 7, 9, 16 and 18 or their respective dependent claims.

At the outset, Applicants note that the voice and data services disclosed in Robinson do not constitute the claimed supplementary service. That supplementary service and basic service are explained in the description of the present application at, for example, page 7, lines 3-10.

One of ordinary skill in the art would have recognized that a supplementary service is a service which modifies or supplements a basic telecommunication service. Consequently, a supplementary service cannot be offered to a user as a standalone service, by definition; rather, the supplementary service must be offered together with or in association with a basic service. Thus, since Robinson clearly teaches that voice services and data services can be offered as a standalone service, Robinson fails to teach supplementary services.

In response to Applicants previously submitted explanation regarding what is meant by implementation, the Office Action has now asserted that, by using Figure 4 of the present application, services can be regarded to correspond to implementations. Applicants disagree.

The Function Lists (FLs) illustrated in Figure 4 of Applicants’ specification shows different services of a service provider, and more precisely functions which the services comprise. FLs are maintained for each service provider, i.e., there are many such lists. An Implementation List (IL) is provided for each function and each function named in a Service List (SL) has its own IL. The IL lists the alternative implementations of a function advantageously with required properties. (see, Applicants’ specification, page 17, line 25 to page 18, line 27). Based on that description and Figure 4, an “implementation” as defined by the previously submitted excerpt of the communications standard dictionary equates with the illustrated implementation.

In response to previously submitted arguments, the Office Action has asserted that Robinson discloses a “standard incremental service” and “superseding incremental service,”

which are interpreted by the Office Action as corresponding to alternative implementations of a service. However, Robinson merely discloses “standard incremental service registration” and “superseding incremental service registration,” which are actually alternative ways to register to a service. Alternative ways to register to a service do not correspond to alternative implementations for a supplementary service.

Furthermore, Robinson teaches that the way to register to a service is selected by a user and the selection does not depend on the capabilities of the terminal. Rather, Robinson teaches that the selection depends on the user’s desire. Moreover, Robinson fails to provide any definitions for required terminal properties relating to a way of registering to a service; rather, both of the registration ways disclosed by Robinson can be used from any terminal. As a result, Robinson fails to teach or suggest different implementations for a supplementary service being selected based on the properties of a terminal and any feature relating thereto.

Moreover, although page 10, second paragraph of Robinson teaches that a control process to make sure that new registration takes precedence over a previous registration is executed using the comparator 230, the second controller 250 and the memory 210, that configuration does not constitute selection of different implementations for a supplementary service.

Based on the above, Robinson fails to teach or suggest the claimed supplementary services, or alternative implementations for a supplementary service, i.e., alternative implementations of one supplementary service and any feature related thereto. Therefore, the present claims are patentable over Robinson

All objections and rejections having been addressed, Applicants request issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicants request that the Examiner contact Applicants’ undersigned representative at the telephone number listed below.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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